

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,	)	
	)	CASE NO. CR04-243-JLR
Plaintiff,	)	
	)	
v.	)	SUMMARY REPORT OF U.S.
	)	MAGISTRATE JUDGE AS TO
DEVIN JENNINGS,	)	ALLEGED VIOLATIONS
	)	OF SUPERVISED RELEASE
Defendant.	)	
_____	)	

An evidentiary hearing on supervised release revocation in this case was scheduled before me on October 19, 2012. The United States was represented by AUSA Andy Colasurdo and the defendant by Michael Martin. The proceedings were digitally recorded.

Defendant had been sentenced on or about March 21, 2006 by the Honorable James L. Robart on a charge of Felon in Possession of a Firearm (Count 1); Possession of Firearm with Obliterated Serial Number (Count 2), and sentenced to 180 months custody, 5 years supervised release on Count 1 and 60 months custody on Count 2, to run concurrently with the sentence imposed on Count 1.

The conditions of supervised release included the standard conditions plus the

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01 requirements that defendant participate in drug testing and treatment, submit to search, provide  
02 financial information as requested, not be self-employed or employed by friends, relatives,  
03 associates or persons previously known to defendant without approval, not work for cash, and  
04 have all employment approved. (Dkt. 112.)

05 On July 7, 2008, defendant was re-sentenced to 100 months on Count 1, 60 months on  
06 Count 2 to run concurrently, 3 years supervised release. (Dkt. 141.)

07 On May 27, 2012, defendant's probation office reported that Defendant had tested  
08 positive for cocaine. Defendant was reprimanded and referred for professional assessment. No  
09 further action was taken at the time. (AR 142.)

10 In an application dated (Dkt. 143, 144), U.S. Probation Officer Andrew J. Lorenzen  
11 alleged the following violations of the conditions of supervised release:

12 1. Using cocaine on or about August 7, 2012, in violation of a general condition of  
13 supervision and standard condition number 7.

14 2. Committing the crime of Possession with Intent to Distribute Cocaine, on or  
15 about August 16, 2012, in King County, WA, in violation of a general condition of supervision.

16 3. Committing the crime of Malicious Mischief 1st Degree, on or about August 16,  
17 2012, in King County, WA, in violation of a general condition of supervision.

18 Defendant was advised in full as to those charges and as to his constitutional rights.

19 Defendant admitted violations 1 and 2 and waived any evidentiary hearing as to whether  
20 they occurred. The government moved to dismiss alleged violation 3. (Dkt. 151.)

21 I therefore recommend the Court find defendant violated his supervised release as  
22 alleged in violations 1 and 2, and that the Court conduct a hearing limited to the issue of

01 disposition. I recommend the Court dismiss alleged violation 3. The next hearing will be set  
02 before Judge Robart.

03 Pending a final determination by the Court, defendant has been detained.

04 DATED this 19th day of October, 2012.

05  
06 

07 Mary Alice Theiler  
08 United States Magistrate Judge  
09

10 cc: District Judge: Honorable James L. Robart  
11 AUSA: Carl A. Colasurdo  
12 Defendant's attorney: Michael G. Martin  
13 Probation officer: Andrew J. Lorenzen  
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